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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 MICHAEL GRECCO PRODUCTIONS,
13 INC., d/b/a “Michael Grecco
14 Photography”, a California corporation,

15 Plaintiff,

16 v.

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18 VALNET, INC., a Canadian Corporation,
19 individually, and doing business as
20 “Screenrant.com” and “Collider.com”; and
DOES 1-10,

21 Defendants.
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Case No.:

**PLAINTIFF’S COMPLAINT FOR
COPYRIGHT INFRINGEMENT**

JURY TRIAL DEMANDED

1 Plaintiff, Michael Grecco Productions, Inc. by and through its undersigned
2 attorneys, hereby prays to this honorable Court for relief based on the following:

3 **JURISDICTION AND VENUE**

4 1. This action arises under the Copyright Act of 1976, Title 17 U.S.C., §
5 101 *et seq.*

6 2. This Court has federal question jurisdiction under 28 U.S.C. §§ 1331 and
7 1338 (a).

8 3. Venue in this judicial district is proper under 28 U.S.C. §§ 1391(c) and
9 1400(a) in that this is the judicial district in which a substantial part of the acts and
10 omissions giving rise to the claims occurred.

11 **PARTIES**

12 4. Plaintiff Michael Grecco Productions, Inc., d/b/a “Michael Grecco
13 Photography” (“Grecco”), is a California corporation organized and existing under
14 the laws of the state of California with its principal place of business at 3103 17th
15 Street, Santa Monica, California 90405. Plaintiff’s principal, Michael Grecco, is an
16 award-winning commercial photographer noted for his iconic celebrity portraits,
17 magazine covers, editorial images and advertising spreads.

18 5. Plaintiff is informed and believes and thereon alleges that Defendant
19 Valnet, Inc., which does business as, and owns and operates the websites,
20 www.screenrant.com and www.collider.com (“VALNET”), is a Canadian
21 corporation registered to do business in the state of California and conducts business
22 in the state of California including within this District.

23 6. Defendants DOES 1 through 10, inclusive, are other parties who have
24 infringed Plaintiff’s copyright, have contributed to the infringement of Plaintiff’s
25 copyright, or have engaged in one or more of the wrongful practices alleged herein.
26 The true names, whether corporate, individual or otherwise, of Defendants 1 through
27 10, inclusive, are presently unknown to Plaintiff, who therefore sues said Defendants
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1 by such fictitious names, and will seek leave to amend this Complaint to show their
2 true names and capacities when same have been ascertained.

3 7. Plaintiff is informed and believes and thereon alleges that at all times
4 relevant hereto each of the Defendants was the agent, affiliate, officer, director,
5 manager, principal, alter-ego, and/or employee of the remaining Defendants and was
6 at all times acting within the scope of such agency, affiliation, alter-ego relationship
7 and/or employment; and actively participated in or subsequently ratified and adopted,
8 or both, each and all of the acts or conduct alleged, with full knowledge of all the
9 facts and circumstances, including, but not limited to, full knowledge of each and
10 every violation of Plaintiff's rights and the damages proximately caused thereby.

11 **CLAIMS RELATED TO SUBJECT PHOTOGRAPH 1**

12 8. Plaintiff composed and owns an original photograph of Michael Dorn
13 ("Subject Photograph 1") that was registered with the United States Copyright Office.
14 Plaintiff is the sole owner of the exclusive rights to the Subject Photograph 1.

15 9. Plaintiff is informed and believes and thereon alleges that following its
16 publication and display of the Subject Photograph 1, VALNET, DOE Defendants and
17 each them used the Subject Photograph 1 without Plaintiff's authorization for
18 commercial purposes in various ways, including, but not limited to, the use on
19 websites such as [https://screenrant.com/star-trek-worf-son-alexander-rozhenko-tng-](https://screenrant.com/star-trek-worf-son-alexander-rozhenko-tng-ds9-happened/)
20 [ds9-happened/](https://static1.srcdn.com/wordpress/wp-content/uploads/2020/12/Star-Trek-Worf-Alexander-TNG-DS9.jpeg?q=50&fit=crop&w=960&dpr=1.5) and [https://static1.srcdn.com/wordpress/wp-](https://static1.srcdn.com/wordpress/wp-content/uploads/2020/12/Star-Trek-Worf-Alexander-TNG-DS9.jpeg?q=50&fit=crop&w=960&dpr=1.5)
21 [content/uploads/2020/12/Star-Trek-Worf-Alexander-TNG-](https://static1.srcdn.com/wordpress/wp-content/uploads/2020/12/Star-Trek-Worf-Alexander-TNG-DS9.jpeg?q=50&fit=crop&w=960&dpr=1.5)
22 [DS9.jpeg?q=50&fit=crop&w=960&dpr=1.5](https://static1.srcdn.com/wordpress/wp-content/uploads/2020/12/Star-Trek-Worf-Alexander-TNG-DS9.jpeg?q=50&fit=crop&w=960&dpr=1.5).

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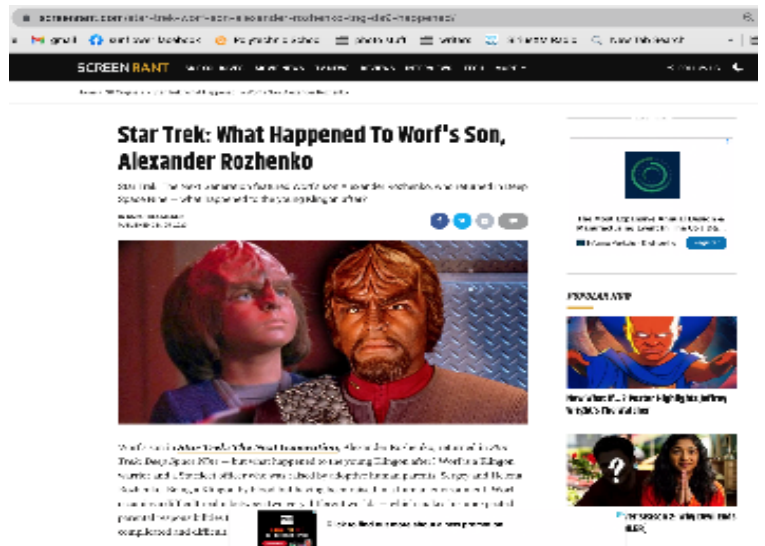
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10. An image of Subject Photograph 1 and a screen capture of Defendant's website with Subject Photograph 1 embedded are set forth below:

Subject Photograph



Defendant's Website



CLAIMS RELATED TO SUBJECT PHOTOGRAPH 2

11. Plaintiff composed and owns an original photograph of Terry Farrel ("Subject Photograph 2") that was registered with the United States Copyright Office. Plaintiff is the sole owner of the exclusive rights to the Subject Photograph 2.

12. Plaintiff is informed and believes and thereon alleges that following its publication and display of the Subject Photograph 2, VALNET, DOE Defendants and each them used the Subject Photograph 2 without Plaintiff's authorization for commercial purposes in various ways, including, but not limited to, the use on websites such as <https://screenrant.com/star-trek-tv-series-tos-tng-ds9-voyager-ratings/> and <https://static3.srcdn.com/wordpress/wp-content/uploads/2020/12/Star-Trek-Uniforms.jpg?q=50&fit=crop&w=960&h=500&dpr=1.5>.

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13. An image of Subject Photograph 2 and a screen capture of Defendant's website with Subject Photograph 2 embedded are set forth below:

Subject Photograph



Defendant's Website



CLAIMS RELATED TO SUBJECT PHOTOGRAPH 3

14. Plaintiff composed and owns an original photograph of the cast from the TV series Sliders ("Subject Photograph 3") that was registered with the United States Copyright Office. Plaintiff is the sole owner of the exclusive rights to the Subject Photograph 3.

15. Plaintiff is informed and believes and thereon alleges that following its publication and display of the Subject Photograph 3, VALNET, DOE Defendants and each them used the Subject Photograph 3 without Plaintiff's authorization for commercial purposes in various ways, including, but not limited to, the use on websites such as <https://screenrant.com/sliders-season-4-jerry-oconnell-quinn-leave-show-why/>.

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16. An image of Subject Photograph 3 and a screen capture of Defendant’s website with Subject Photograph 3 embedded are set forth below:

Subject Photograph

Defendant’s Website



CLAIMS RELATED TO SUBJECT PHOTOGRAPH 4

17. Plaintiff composed and owns an original photograph of Kelsey Grammer and Bebe Neuwirth from the tv sitcom Cheers (“Subject Photograph 4”) that was registered with the United States Copyright Office. Plaintiff is the sole owner of the exclusive rights to the Subject Photograph 4.

18. Plaintiff is informed and believes and thereon alleges that following its publication and display of the Subject Photograph 4, VALNET, DOE Defendants and each them used the Subject Photograph 4 without Plaintiff’s authorization for commercial purposes in various ways, including, but not limited to, the use on websites such as <https://screenrant.com/cheers-aged-well-timeless-sitcom/>.

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19. An image of Subject Photograph 4 and a screen capture of Defendant’s website with Subject Photograph 4 embedded are set forth below:

Subject Photograph

Defendant’s Website



CLAIMS RELATED TO SUBJECT PHOTOGRAPH 5

20. Plaintiff composed and owns an original photograph of Gillian Anderson and David Duckovny in the tv series X-Files (“Subject Photograph 5”) that was registered with the United States Copyright Office. Plaintiff is the sole owner of the exclusive rights to the Subject Photograph 5.

21. Plaintiff is informed and believes and thereon alleges that following its publication and display of the Subject Photograph 5, VALNET, DOE Defendants and each of them used the Subject Photograph 5 without Plaintiff’s authorization for commercial purposes in various ways, including, but not limited to, the use on websites such as <https://screenrant.com/xfiles-tv-show-abraham-lincoln-ghost-unaired-episode/> and <https://collider.com/best-x-files-monsters-every-season/>

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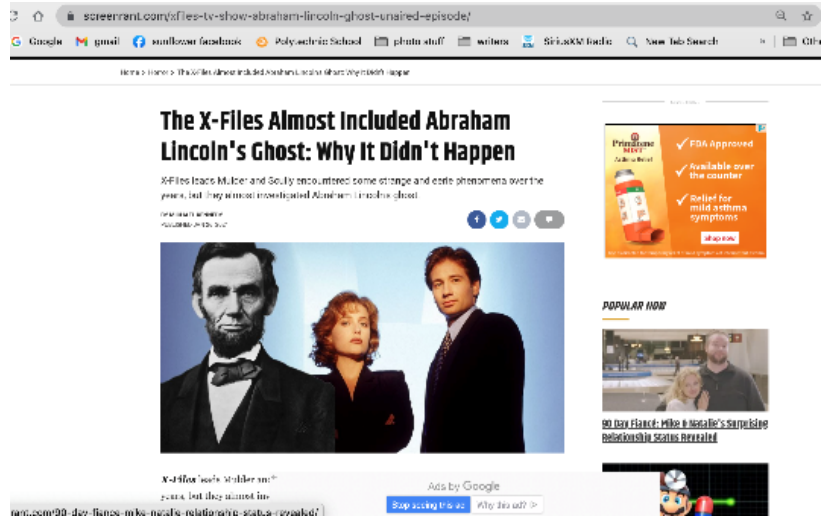
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22. An image of Subject Photograph 5 and a screen capture of Defendant's website with Subject Photograph 5 embedded are set forth below:

Subject Photograph



Defendant's Website



CLAIMS RELATED TO SUBJECT PHOTOGRAPH 6

23. Plaintiff composed and owns an original photograph of the cast from the TV series Sliders ("Subject Photograph 3") that was registered with the United States Copyright Office. Plaintiff is the sole owner of the exclusive rights to the Subject Photograph 6.

24. Plaintiff is informed and believes and thereon alleges that following its publication and display of the Subject Photograph 6, VALNET, DOE Defendants and each them used the Subject Photograph 6 without Plaintiff's authorization for commercial purposes in various ways, including, but not limited to, the use on websites such as <https://collider.com/best-x-files-monsters-every-season/>.

25. An image of Subject Photograph 6 and a screen capture of Defendant's website with Subject Photograph 6 embedded are set forth below:

Subject Photograph



Defendant's Website



26. On September 21, 2022, Plaintiff sent VALNET correspondence in an attempt to amicably resolve the claims at issue. VALNET failed to substantively respond. Plaintiff now seeks relief from this Court.

CLAIM FOR RELIEF

(For Copyright Infringement – Against all Defendants, and Each)

27. Plaintiff repeats, re-alleges, and incorporates herein by reference as though fully set forth, the allegations contained in the preceding paragraphs of this Complaint.

28. Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, had access to the Subject Photograph 1, Subject Photograph 2, Subject Photograph 3, and Subject Photograph 4, Subject Photograph 5, and Subject Photograph 6 (collectively, the “Subject Photographs”), including, without limitation, through their publication on Grecco’s website; by Grecco’s clients, including USA Weekend Magazine; and through the unauthorized reproductions of the Subject Photographs by other third parties on the World Wide Web.

29. Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, used and displayed the Subject Photographs on websites including, but not limited to, www.valnet.com/, www.screenrant.com/, www.static1.srcdn.com/, www.static3.srcdn.com/, and www.collider.com/.

30. Plaintiff is informed and believes and thereon alleges that the photographs used by Defendants, shown above, used the same elements, composition, colors, arrangement, subject, lighting, angle, and overall appearance of the Subject Photographs and is identical or at least substantially similar to the Subject Photographs.

31. Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, infringed Plaintiff’s copyright by copying the Subject Photographs and publishing and displaying the Subject Photographs to the public, including without limitation, on www.valnet.com/, www.screenrant.com/, www.static1.srcdn.com/, www.static3.srcdn.com/, and www.collider.com/, without Plaintiff’s authorization or consent.

1 sum to be proven at the time of trial, and, to the extent available,
2 statutory damages as available under the 17 U.S.C. § 504, 17 U.S.C.
3 §1203, and other applicable law.

- 4 c. That a constructive trust be entered over any revenues or other proceeds
5 realized by Defendants, and each of them, through their infringement of
6 Plaintiff's intellectual property rights;
- 7 d. That Plaintiff be awarded its attorneys' fees as available under the
8 Copyright Act U.S.C. § 101 et seq.;
- 9 e. That Plaintiff be awarded its costs and fees under the statutes set forth
10 above;
- 11 f. That Plaintiff be awarded statutory damages and/or penalties under the
12 statutes set forth above;
- 13 g. That Plaintiff be awarded pre-judgment interest as allowed by law;
- 14 h. That Plaintiff be awarded the costs of this action; and
- 15 i. That Plaintiff be awarded such further legal and equitable relief as the
16 Court deems proper.

17 Plaintiff demands a jury trial on all issues so triable pursuant to Fed. R. Civ. P.
18 38 and the 7th Amendment to the United States Constitution.

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20 Respectfully submitted,

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22 Dated: May 25, 2023

23 By: /s/ Stephen M. Doniger
24 Stephen M. Doniger, Esq.
25 Kelsey M. Schultz, Esq.
26 DONIGER / BURROUGHS
27 Attorneys for Plaintiff
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